



PATENT

ATTORNEY DOCKET NO. 09125/001001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentee : Minnesota Mining and Manufacturing Company
Patent No.: 5,583,114
Serial No.: 281,473
Issued : December 10, 1996
Filed : July 27, 1994
Title : ADHESIVE SEALANT COMPOSITION

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Assistant Commissioner for Patents
Washington, DC 20231

SUPPLEMENTAL DECLARATION PURSUANT TO 37 C.F.R. §1.175

We, Thomas H. Barrows, Terry W. Lewis, Myhanh T. Truong, and Matthew T. Scholz, declare that we believe that we are the original and first inventors of the subject matter that is described and claimed in United States Patent No. 5,583,114 for which we solicit a reissue patent; that we have reviewed and understand the contents of the above identified reissue application, including its specification and claims; that we acknowledge the duty to disclose all information of which we are aware that is material to the examination of this reissue application in accordance with Title 37, Code of Federal Regulations (CFR), §1.56(a); that the aforesaid patent is partly inoperative by reason of claiming less than we had the right to claim in the patent; and that said inoperativeness is a result of error that arose inadvertently and without any deceptive intention.

The patent claims less than we had a right to claim, in that the specification of the issued patent discloses an invention that is broader than what is claimed. One error relied upon as the basis of this reissue application was that of originally filing claims directed to subject matter that was narrower than we had a right to claim. Claim 12 recites a method

"EXPRESS MAIL" Mailing Label Number 622467620745

Date of Deposit September 30, 1999
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office To Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Sherry A. Sherr

of sealing tissue that involves applying and curing adhesive mixtures that include "serum albumin", while the specification more broadly describes methods of treatment relating to albumin proteins not limited to serum albumin proteins. This error and any and all other errors being corrected in the reissue application arose without deceptive intention.

Please address communications to:

John J. Gagel, Esq.
Fish & Richardson, P.C.
225 Franklin Street
Boston, MA 02110-2804

Please address all telephone calls to:

John J. Gagel, Esq.
(617) 542-5070

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of this application or any patents issued thereon.


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